

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Casino Slot Machine Height

Proposed Amendment: N.J.A.C. 5:23-9.6

Authorized By: Susan Bass Levin, Commissioner, Department of Community Affairs

Authority: N.J.S.A. 52:27D-124

Proposal Number: PRN 2002-

Calendar: See summary below for explanation of exception to calendar requirement.

Submit written comments by _____, 2002 to:

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**SUSAN BASS LEVIN,
COMMISSIONER**

The agency proposal follows:

Summary

The proposed amendment at N.J.A.C. 5:23-9.6, Construction requirements for new and existing casinos, would extend the height allowance for casino slot machines up to 75 inches. Per the casino industry's request, the Department has worked with the industry through the Atlantic City Chamber of Commerce to develop regulations that would allow slot machine heights to be greater than 65 inches, which is the maximum height currently in place, without compromising safety.

The maximum height allowance for casino slot machines would be up to 75 inches, provided the following requirements would be met. Slot machines higher than 65 inches would be designed with a circular top so that the additional height would not be continuous and would allow for visibility; a rectangular exit catchment area would be located in front of the specified means of egress to comprise 67 percent of the required egress capacity; lighted signs on the casino floor would be interconnected to the fire alarm system within five years of installation of the first 75-inch height machine; all exit signs would be at least 10 inches high with clear lettering; and the Department would perform a means of egress and exit visibility survey prior to slot machine installation.

The proposed amendment would also allow for unrestricted height of gaming equipment and obstructions that are located within 21 feet of the walls and that are located within 12 feet of columns.

A 60-day comment period is provided and, therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, the proposal is not subject to the provisions of N.J.A.C. 1:30-3.1 and 3.2 governing the rulemaking calendars.

Social Impact

The Department anticipates that the proposed amendment would have a positive social impact. By extending the height requirement for casino slot machines up to 75 inches, the design would provide for a positive attraction without compromising safety.

Economic Impact

As the proposed amendment would be an optional provision, the Department anticipates no economic impact. For those that choose to extend the height of casino slot machines, the cost for such design would be minimal.

Smart Growth Impact

Due to the subject matter of this proposal, the Department does not expect that it would have any impact upon either achievement of "smart growth" or implementation of the State Plan.

Federal Standards Statement

No Federal standards analysis is required because this amendment is not being

proposed in order to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

Jobs Impact

The Department does not anticipate that the proposed amendment would result in the creation or the loss of jobs.

Agriculture Industry Impact

The Department does not anticipate that the proposed amendment would have an impact on the agricultural industry.

Regulatory Flexibility Statement

The proposed amendment would not impact “small businesses” as defined by the Regulatory Flexibility Act in N.J.S.A. 52:14B-16 et seq. Casinos are not small businesses as defined by the Act.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

5:23-9.6 Interpretations: Construction requirements for new and existing casinos

(a) Fixed central pedestal seating (stools) shall be allowed within major aisles and cross-aisles in casinos for gaming patrons who use standard size slot machines or other similar machines, within these aisles, provided the following requirements [are] **have been** met:

1. Schematic drawings [shall be submitted to the Department for review and approval] which indicate the dimensions and locations of the stools, and the distances from adjacent fixtures, walls or other [fixed] objects **shall be submitted to the Department for review and release;**

2. - 5. (No change.)

(b) The following code requirements shall apply to gaming floors:

1. - 4. (No change.)

[5. Each slot machine installed on gaming floors shall comply with the following:

i. Each slot machine, other than those located at the perimeter walls and columns, shall have a maximum overall height of 65 inches including base, except if the slot machine is placed at a location on the casino floor that would not cause a lack of compliance with (b)5ii and below;

ii. A slot machine shall not obstruct visibility throughout the gaming floor, the visibility of exit signage, or the operation of fire protection systems;

iii. The base of the slot machine shall be constructed of non-combustible or fire-retardant treated materials.]

5. Gaming equipment, change banks, monitor cabinets and other obstructions located on the gaming floor shall not exceed 65 inches in height except as provided herein:

i. Equipment and obstructions located at or within 21 feet of perimeter walls, measured perpendicular to the wall, may be of unrestricted height.

ii. Equipment and obstructions located at columns, but not extending more than 12 feet in any direction around the column, including the column itself, may be of unrestricted height.

iii. Equipment and obstructions located so that they do not obstruct visibility throughout the gaming floor, the visibility of at least two exits, or the operation of fire protection systems, may be of such height as is consistent with such visibility and operation.

iv. Slot machines and similar gaming equipment may be 75 inches in height at any location on the casino floor provided the following conditions are met throughout the entire casino floor(s):

(1) Machines taller than 65 inches shall be of a circle top or similar design so that the 75 inch height is not continuous and at least 40 percent of the vertical projected area between 65 inches and 75 inches is open; and

(2) An exit catchment area shall be provided immediately in front of the means of egress having the largest egress capacity and each other means of egress, ranked from the largest to smallest in terms of egress capacity, until such areas are provided in front of means of egress comprising 67% of the required egress capacity. Each catchment area shall be a rectangle with the full width of the means of egress component and twice the depth. Gaming equipment and other obstructions within the catchment area shall require Department approval.

(3) All new lighted signage on the casino floor shall be interlocked with the fire alarm system so that activation of an alarm results in disconnection of electrical power to the signage. All such signage shall be interconnected within 5 years of the installation of the first 75 inch height machine permitted by this section; and

(4) All exit signs that are provided on the casino floor shall have a minimum letter height of 10 inches and a minimum letter stroke of two inches with approved distinguishable colors; and

(5) Prior to the installation of the 75 inch high machines, the permit applicant and the Department shall perform a means of egress and exit visibility survey. If directed by the Department, the permit applicant shall install additional signage, or other means found necessary to ensure the discernability of two exits.

6. (No change.)

7. Monitor cabinets, change banks, fillers, slot machine bases, and similar items shall be constructed of non-combustible or fire retardant treated material.

(c) (No change.)